

House No. 4780

Message from His Excellency the Governor recommending legislation relative to authorizing the leasing of land in Grafton to the United States Department Of Labor and authorizing the conveyance or lease of surplus state-owned properties.

The Commonwealth of Massachusetts



EXECUTIVE DEPARTMENT
STATE HOUSE • BOSTON 02133
(617) 725-4000

DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

6/15/2010

To the Honorable Senate and House of Representatives:

I am filing for your consideration the attached legislative proposal entitled, "An Act Authorizing the Leasing of Land in Grafton to the United States Department of Labor and Authorizing the Conveyance or Lease of Surplus State-Owned Properties." I urge prompt passage of this legislation to permit the continued use of State property in Grafton for a Job Corps facility and to allow the disposition of certain surplus property to the needs of the Commonwealth.

Job Corps is a free education and training program that helps young people ages 16 through 24 learn a career, earn a high school diploma or GED, and find and keep good jobs. For many years, the United States Department of Labor has operated a Job Corps facility on portions of the former Grafton State Hospital leased from the Commonwealth. The term of the existing lease will expire at the end of June and the Department of Labor, wishing to continue the Job Corps program in Grafton, has asked the Commonwealth for a new lease. This bill authorizes the Commonwealth to enter into a new, 20-year, lease.

Three buildings currently leased by the Department of Labor are vacant and not needed for the Job Corps program. To facilitate the reuse of these buildings, the bill authorizes the disposition of said buildings, together with adjacent areas, so that they can be put into productive use for economic development, affordable housing and other uses.

I urge your prompt and favorable consideration of this legislation.

Respectfully submitted,

DEVAL L. PATRICK,

Governor.

The Commonwealth of Massachusetts

In the Year Two Thousand and Ten

An Act AUTHORIZING THE LEASING OF LAND IN GRAFTON TO THE UNITED STATES DEPARTMENT OF LABOR AND AUTHORIZING THE CONVEYANCE OR LEASE OF SURPLUS STATE-OWNED PROPERTIES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the lease of property to the United States Department of Labor for training through the Department's Job Corps program and to facilitate the reuse of, and generate non-tax revenue from, portions of the former Grafton State Hospital which are surplus to the Department's Job Corps program, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Notwithstanding sections 40F to 40J, inclusive, of chapter 7 of the General Laws or any
2 other general or special law to the contrary, the commissioner of capital asset management and
3 maintenance may lease all or a portion of a certain parcel of land, together with the buildings thereon, and
4 further identified in a U.S. Government Lease For Real Property dated April 19, 1990, Exhibit B, Partial
5 Plan of Land Showing Parcel Leased United States Of America For A Job Corps Center in Grafton and
6 Shrewsbury, dated Oct. 1, 1979, located on the easterly side of Pine Street in the town of Grafton and
7 Green Street in the town of Shrewsbury and formerly part of the Grafton state hospital, for a term,
8 including extensions, not to exceed 20 years, to the United States Department of Labor, for rent of \$1 per
9 year. The exact boundaries of the lease premises and any roads or other infrastructure which the
10 Department of Labor, or its agents, may use in accordance with the lease, shall be determined by the
11 commissioner of the division of capital asset management and maintenance in consultation with the
12 United States Department of Labor after the completion of a land survey.

13 SECTION 2. The lease authorized by section 1 shall be on such terms and conditions as the division of
14 capital asset management and maintenance deems appropriate.

15 SECTION 3. The United States Department of Labor shall be responsible for all costs deemed necessary
16 or appropriate by the commissioner of capital asset management and maintenance for the lease authorized
17 by section 1 including, without limitation, the costs for legal work, survey, title, appraisal and the
18 preparation of plans and specifications.

19 SECTION 4. In order to facilitate the reuse of portions of the former Grafton State Hospital which are
20 surplus to the Department's Job Corps program and to the commonwealth, as further identified in section
21 5, the commissioner of capital asset management and maintenance may, subject to sections 40E to 40J,
22 inclusive, of chapter 7 the General Laws but notwithstanding any other general or special law to the
23 contrary, sell, lease for a term or terms of up to 99 years, including all renewals and extensions, or
24 otherwise grant, convey, or transfer to 1 or more purchasers or lessees an interest in said property
25 identified in section 5, on the terms and conditions that the commissioner considers appropriate, taking
26 into account principles of transit-oriented development and smart growth. The commissioner shall
27 dispose of said property utilizing appropriate competitive processes and procedures. At least 30 days
28 before the date on which bids, proposals, or other offers to purchase or lease the property, or any portion
29 thereof, are due, the commissioner shall place a notice in the central register published by the state
30 secretary under section 20A of chapter 9 of the General Laws stating the availability of the property, the
31 nature of the competitive process and other information that he considers relevant, including the time,
32 place and manner for the submission of bids, proposals and the opening thereof. The grantee or the lessee
33 shall enter into a historical covenant agreement with the Massachusetts historical commission which shall
34 be filed with the registry of deeds and run with the land in perpetuity.

35 SECTION 5. The property subject to section 4 includes, without limitation, the buildings identified as
36 Building No. 14 (Pines C), Building No. 15 (Pines D) and Building No. 16 (Pines E) on the plan
37 referenced in section 1 and such other lands as the commissioner deems appropriate. The exact
38 boundaries of the property and any roads or other infrastructure which lessee or purchaser may use in
39 accordance with the lease or deed, be determined by the commissioner of the division of capital asset
40 management and maintenance in consultation with the United States Department of Labor after the
41 completion of a land survey.

42 SECTION 6. In connection with any conveyance or lease pursuant to this act, the commissioner may
43 grant easements or other rights to use roads and infrastructure and to install utilities on adjoining land of
44 the commonwealth, and may retain such easements or other rights for the commonwealth.

45 SECTION 7. The grantee or lessee selected pursuant to section 5 shall be responsible for all costs and
46 expenses including, but not limited to, costs associated with any engineering, surveys, appraisals and deed
47 preparation related to the transfers and conveyances authorized in section 5 as those costs may be

48 determined by the commissioner of capital asset management and maintenance. The grantee or lessee
49 shall acquire said property in its existing condition without any warranty by the commonwealth.